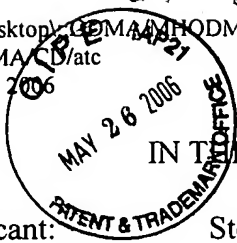


3F10



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Steven B. Landau

Application No.: 10/757,364

Group Art Unit: 1617

Filed: January 13, 2004

Examiner: Yong Soo Chong

Confirmation No.: 3343

Title: METHOD OF TREATING FUNCTIONAL BOWEL DISORDERS

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
5-24-2006	<i>Amy T. Comeau</i>
Date	Signature
Amy T. Comeau	
Typed or printed name of person signing certificate	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or

(First/Second submission after Final Rejection)

☒ under 37 CFR 1.97(b), or

(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

☐ under 37 CFR 1.97(c) together with either:

☐ a Statement under 37 CFR 1.97(e), as checked below, or

☐ a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:

☐ a Statement under 37 CFR 1.97(e), as checked below, and

☐ a \$180.00 fee under 37 CFR 1.17(p), or

(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

☐ under 37 CFR 1.97(i):

Applicant requests that the IDS and cited reference(s) be placed in the application file.

(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
- ☒ Copies of the cited references (AP3, AS5-AV5) are enclosed.
- ☒ Copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
- ☐ Copies of the cited references are enclosed except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
- ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- ☐ The "concise explanation" requirement (non-English references) for reference(s) [] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
- ☐ the enclosed English language abstract.

- ☐ Applicant requests that the following non-published pending applications be considered:
(Affix a label or apply the stamp "Non-Published IDS Reference - Do Not Scan" to the front of each unpublished pending appl'n.)

Examiner's
Initials

____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []
____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []
____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

Examiner

Date

- ☐ A copy of each above-cited application, including the current claims, is enclosed, except any application filed on or after June 30, 2003, which has been scanned into the PTO's Image File Wrapper (IFW) system and is available to the examiner.
- ☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- ☐ Please charge Deposit Account 08-0380 in the amount of \$[]. A copy of this Statement is enclosed.
- ☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Christine M. Doe
Christine M. Doe
Registration No.: 58,073
Telephone: (978) 341-0036
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: May 24, 2006

PTO-1449 REPRODUCED

ATTORNEY DOCKET NO.
3506.1000-002APPLICATION NO.
10/757,364FIRST NAMED INVENTOR
Steven B. LandauFILING DATE
January 13, 2004EXAMINER
Yong Soo ChongCONFIRMATION NO.
3343GROUP
1617INFORMATION DISCLOSURE STATEMENT
IN AN APPLICATION

May 24, 2006

(Use several sheets if necessary)



U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL	REF. NO.	DOCUMENT NUMBER Number-Kind Code (if known)	ISSUE DATE / PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
	AF5	6,475,078 B2	11-05-2002	Jerussi <i>et al.</i>
	AG5	2004/0254168 A1	12-16-2004	Landau
	AH5	2004/0254169 A1	12-16-2004	Landau
	AI5	2004/0254170 A1	12-16-2004	Landau
	AJ5	2004/0259862 A1	12-23-2004	Landau
	AK5	2005/0032780 A1	02-10-2005	Landau
	AA6	2004/0254171 A1	12-16-2004	Landau <i>et al.</i>
	AB6	2004/0254172 A1	12-16-2004	Landau <i>et al.</i>
	AC6	2004/0147510 A1	07-29-2004	Landau

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER Country Code-Number-Kind Code (if known)	DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	TRANSLATION YES NO	
	AP3	WO 2004/062624 A3	07-29-2004	Dynogen Pharmaceuticals, Inc.		

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AS5	Steadman, C.J., <i>et al.</i> , "Selective 5-Hydroxytryptamine Type 3 Receptor Antagonism With Ondansetron as Treatment for Diarrhea-Predominant Irritable Bowel Syndrome: A Pilot Study," <i>Mayo Clinic Proc.</i> , 67(8): 732-738 (1992).
AT5	"Dynogen Pharmaceuticals, Inc. Enters Into Agreement With Mitsubishi Pharma For Irritable Bowel Syndrome Compound," Dynogen Pharmaceuticals, Inc. Press Release, pp. 1-2 [online], (December 22, 2003). Retrieved from the Internet <URL: www.dynogen.com >.
AU5	Database IMSDRUGNEWS, R&D Focus Drug News, "DDP 225 Dynogen, Mitsubishi Pharma Licensing Agreement," [online], January 12, 2004. Retrieved from: STN Database, Accession No. 2004:188.
AV5	Database CIN 2004-01-05, "Life Sciences in Brief," [online], January 5, 2004 (retrieved online January 31, 2006). Retrieved from: STN Database, Accession No. 33(3):1518T..

EXAMINER

DATE CONSIDERED